

Housing Commission Regular Session

February 24, 2021



CITY OF SAN ANTONIO
**NEIGHBORHOOD & HOUSING
SERVICES DEPARTMENT**

Verónica R. Soto, FAICP
Director

Agenda

Public Comments

Item 1: Approval of December 2, 2020, January 12 and January 27, 2021 minutes

Item 2: Briefing and Discussion on ForEveryoneHome Initiative

Item 3: Briefing and Discussion on the SAHT Proposed Tenant Protection Policy

Item 4: Briefing on the Definition of Housing Affordability to be included in SHIP

Item 5: Director's Report



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Public Comments



Virtual Meeting Protocol

- All participants on mute until called by Chair to speak
 - Please mute yourself when not speaking
- Public Comment speakers will be called by Chair upon being dialed in
 - Please mute your WebEx and Computer to prevent feedback
 - You will have three minutes to speak
 - Please hang up once you are done speaking
- For technical assistance regarding listening/viewing WebEx, please dial (210) 207-5329



Timer

- All speakers have three minutes to speak

2:15



Item 1: Approval of the Minutes from Various Meeting



Item 2: Briefing & Discussion on FEH





ForEveryone HOME

City Solutions for Housing Equity

San Antonio Housing Commission
February 24, 2021





Stable, Habitable Housing is Essential for Climate Resilience

- ▶ Displacement jeopardizes neighbor & family support essential during crisis, and can result in homelessness
- ▶ Housing quality and maintenance issues (no heat, poor insulation...) underly **both** climate vulnerability **and** displacement vulnerability e.g.:
 - Code violations and condemnations
 - Displacement due to rental property sales and demolitions
 - Predatory homebuying
- ▶ Addressing housing quality **both** prevents displacement **and** protects health and safety in extreme weather



Programs to Support for Self-Determination and Preservation of San Antonio's Low-Cost Housing Stock have Dual Benefits

- ▶ If you live where rent/ and ownership expenses are affordable for your income, you can afford food, supplies in a crisis.
Preserving the affordability of San Antonio's currently low-cost housing mitigates harm.
- ▶ **Self-determination** requires connections to information, services, and emergency financial resources *both* for those at-risk for housing displacement *and* for those experiencing other crises.

ForEveryoneHome Initiative



Anti-displacement & inclusive growth initiative *informed by community*

- **Meaningful engagement** with individuals and communities impacted by policy and environmental changes
- **Coordinated Housing System** progress
Community Partners, City partners on core team (DSD, NHSD, SAHT, SAHA, SHIP)
- **Racial equity lens**
- **Four Deliverables:**
 - Needs Assessment
 - Anti-Displacement & Inclusive Growth Agenda
 - 2 Implementation Plans





Actualization of Housing Policy Framework

- ▶ **Action Item #1: Develop A Coordinated Housing System.**
- ▶ Action Item #2: Increase City Investment in Housing.
- ▶ **Action Item #3: Increase Affordable Housing Production, Rehabilitation, and Preservation.**
- ▶ **Action Item #4: Protect and Promote Neighborhoods.**
- ▶ Action Item #5: Ensure Accountability to the Public.



- Definition of Affordability
- Recalibrated affordable housing target goals
- “Who, what, and how” of strategies to reach those goals



- “Who, what, and how” Anti-Displacement Strategies
- Two detailed implementation plans

Team



- ▶ **Pete Alanis** San Antonio Housing Trust
- ▶ **Monica Cruz, PhD**, Housing Advocate & Applied Demography Scholar (UTSA)
- ▶ **Rebecca Flores** Housing Advocate
- ▶ **Jose Gonzalez** Alamo Community Group
- ▶ **Jessica O. Guerrero** Housing Commission Chair & Board President, Vecinos de Mission Trails
- ▶ **Tuesdaé Knight**, President & CEO, SAGE
- ▶ **Richard Milk**, Director of Policy & Planning, SAHA
- ▶ **Leilah Powell** LISC San Antonio
- ▶ **Graciela Sanchez**, Executive Director of Esperanza Peace & Justice Center
- ▶ **Verónica Soto**, FAICP, NHSD Director
- ▶ **Amin Tohmaz**, Development Services Department Assistant Director

Support from:

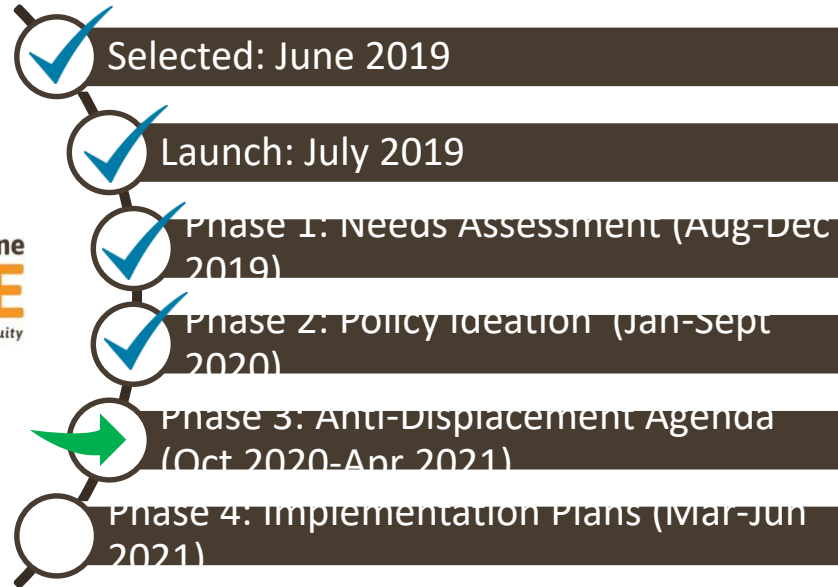
Dianne Trigg, Housing Advocate & SA



**GROUND
SOLUTIONS
NETWORK**



Timeline



Phase 1: Needs Assessment



- Presented to Housing Commission on February 26th
- Examined displacement drivers for renters, homeowners, and mobile home park residents
- Research, interviews, and focus groups with people with lived experience & technical subject matter experts
- [Needs Assessment Link](#)



Phase 1-2 Community Engagement



Goals

- Input and participation of individuals and populations most affected by housing displacement.
- Establish relationships with local leadership, support collaboration across sectors, and cultivate long term interest in anti-displacement policy work.
- Foster practices that uphold racial equity, civic participation, cultural competence, and social justice values.

Activities

Phase Specific

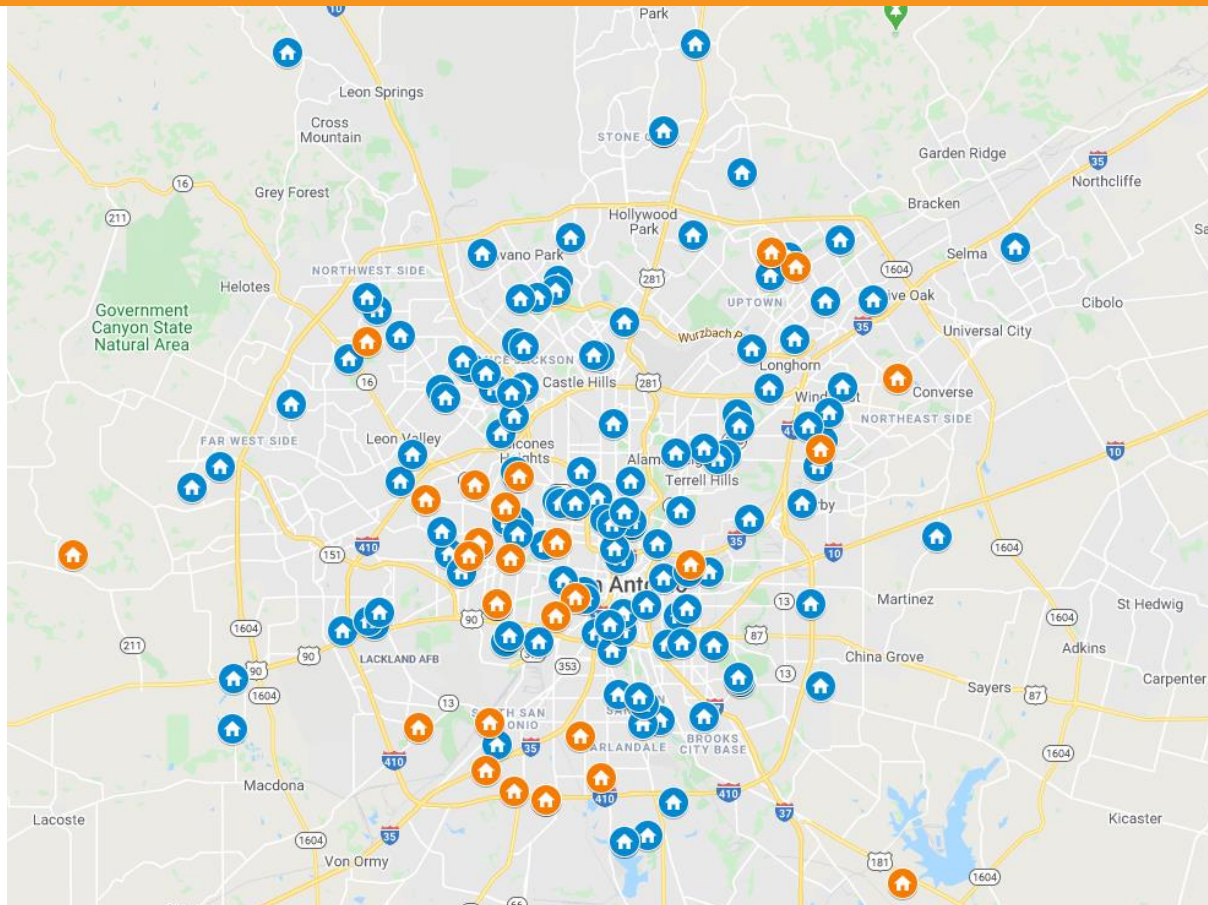
Storytelling Circles
Interviews
Online Surveys
Focus Groups
Polls
Public Meetings

Ongoing

Field Assessment
Participant Observation
Mutual Aid
Service
Advocacy
Knowledge Sharing



Map of Survey Responses



Phase 3: Anti-Displacement Agenda



Reduce the frequency
of evictions



Preserve existing
affordable housing
stock – including
mobile home
communities



Stabilize
Homeownership



Ensure investments &
developments don't
create displacement
pressure



Leverage resources
better for affordable
housing preservation
and displacement
prevention

Next Steps





Feedback on Anti-Displacement Agenda

Key Questions:

- Do you strongly agree or disagree with any of the statements about housing needs or the recommended policy Actions?
- Which recommended policy Actions are particularly high priorities?

Notes about the Agenda



Color Code

- **Support for Self-Determination**
- **Improvements to Housing Quality**
- **Preservation and Creation of Housing with Deep Affordability**

Note: These policies are draft and subject to change.

Anti-Displacement Agenda



Challenge 1: Reduce formal evictions, informal evictions and lease non-renewals

- **Action 1A:** Financial support of Emergency Housing Assistance Program (EHAP).
- **Action 1B:** Scale up Right to Counsel and eviction prevention services.
- **Action 1C:** Hold residential landlords who receive public benefits — including fee waivers, tax benefits and city-owned land — to higher standards for tenants' rights.
- **Action 1D:** Locally implement two state-enabled tenant protections.
- **Action 1E:** Expand collaboration with Justice of the Peace (JP) courts.

Anti-Displacement Agenda



Challenge 2: Preserve existing affordable and low-cost rental housing.

Lasting Affordability Solutions

- **Action 2A:** Preservation Network to track and intervene in affordable housing at-risk for conversion to market-rate or foreclosure.
- **Action 2B:** Require 18-months notice when affordable housing developments intend to significantly raise rents or convert to market-rate.
- **Action 2C:** Fund diverse preservation pilot projects to preserve long-term affordability and quality, including single family rental homes and small apartment buildings.
- **Action 2D:** Lengthen required period of affordable pricing to at least 75 years for rentals that receive new local public investment.
- **Action 2E:** Prioritize partnerships – including SAHA – that will leverage resources for ELI units (30% AMI or less).

Anti-Displacement Agenda



Challenge 2: Preserve existing affordable and low-cost rental housing.

Short/Medium Term Stabilization

- **Action 2F:** Reduce rising property taxes for “good-acting” landlords without a history of evictions or code violations.
- **Action 2G:** Advocate for state-level property tax reductions for small landlords and regulated affordable housing serving low-income households (60% of AMI and below).
- **Action 2H:** Increase home repair and rehab loan or grant programs to qualified landlords in exchange for rent stabilization.

Anti-Displacement Agenda



Challenge 3: Prevent San Antonio's manufactured home parks (mobile home parks) from closing.

- **Action 3A:** Create narrow zoning designation, rezone manufactured housing and mobile home parks to preserve them.
- **Action 3B:** Fund outreach, education and case management support to mobile home residents.
- **Action 3C:** Establish minimum habitability standards for mobile homes/manufactured homes and provide funding to ensure their safety.
- **Action 3D:** Pilot a forgivable loan program for mobile home park owners to address landscaping and sewer needs.
- **Action 3E:** Launch a pilot to convert one or more manufactured housing parks to tenant ownership.

Anti-Displacement Agenda



Challenge 4: Protect homeowners from rising expenses.

- **Action 4A:** Strengthen outreach, information and counseling services for homeowners.
- **Action 4B:** Advocate for state tax reform to reduce the burden of rising taxes on low-income and legacy homeowners.
- **Action 4C:** Scale-up estate planning and title clearance legal services to enable families to keep, maintain, inherit, or pass-on their family home.
- **Action 4D:** Provide practical counseling for first-time homebuyers and homeowners facing foreclosure.
- **Action 4E:** Give homeowners the information and time they need to remedy code violations.
- **Action 4F:** Increase programs and funds for homeowners to do necessary maintenance, repairs and renovations on their property.
- **Action 4G:** Establish a community land trust to build and preserve affordable homes.

Anti-Displacement Agenda



Challenge 5: Ensure investments & developments don't create displacement pressure.

Preventive

- **Action 5A:** Cease public support to market-rate development that directly displaces residents.
- **Action 5B:** Require one-for-one replacement of demolished or upgraded subsidized affordable housing units, with replacement units at the same rent level.
- **Action 5C:** Require developers to disclose possibility of direct tenant or homeowner displacement when they request a planning approval.

Anti-Displacement Agenda



Challenge 5: Ensure investments & developments don't create displacement pressure.

Pro-Active

- **Action 5D:** For large public works projects, set-aside a percentage of funds into displacement mitigation fund.
- **Action 5E:** Expand housing options for people with nontraditional income such as Social Security Income, child support or Housing Choice Vouchers.
- **Action 5F:** Create a complete inventory of the vacant land and buildings in San Antonio.
- **Action 5G:** Create a land banking program, proactively buy vacant land in neighborhoods with high-displacement risk. Use publicly owned land to develop housing that's affordable to low-income households earning 50% of AMI or below.
- **Action 5H:** Identify new sources of funds for displacement prevention programs and affordable housing preservation.

How to Get Involved



Moving from Plan to Action

Tell us what matters

- Sign up to get announcements and information in English or Spanish at:
 - sacommunityengagement@gmail.com
 - 210-909-2703 (Dial Tone)
 - 210-906-8387 (Google Voice/WhatsApp)
- Attend a Zoom Public Meeting:
 - Sat, March 20 @ 4 pm - Spanish
 - Sun, March 21 @ 2 pm - English
 - Wed, March 24 @ 6 pm - Spanish
 - Tues, March 30 @ 6 pm - English
- Provide feedback in writing:
 - NHSD Website (URL coming soon)

Item 3: Briefing and Discussion on SAHT Tenant Protection



Housing Commission Presentation

Tenant Protection Policies:

- Furthers eviction prevention & anti-displacement efforts
- Expands access and opportunities for tenants
- Provides opportunity to build the tenant/landlord experience

Timeline:

- 45-day public comment period ends March 12th
- Anticipated adoption in late March
- Effective on all future SAHT MF partnerships after adoption

Go to sahousingtrust.org

Send comments to nicolec@saht.org or in writing to 2515 Blanco Rd, 78212

Proposed Tenant Protections

- Written Procedures

Properties must have written Tenant selection policies and procedures consistent with the purpose of providing residential units to low-income tenants

- Source of Income Protection
- Tenant Selection
- Fair Housing Marketing
- Non-Discrimination
- Right to Access Tenant File
- Repairs/Remedies/Healthy Unit
- Relocation Assistance
- Returning to Unit
- Right to Personal Property
- Eviction Process/Notice
- Grounds for Termination
- 30 Day/10 Day/3 Day Notice
- Entry into Unit
- Right to Organize
- Other Tenant/Owner Policies

Proposed Tenant Protections

- Written Procedures
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- Other Tenant/Owner Policies

Applicants not denied based on Renter's source of income such as:

- Section 8 Housing Choice Vouchers
- Section 8 Veterans Affairs Supportive Housing
- Other rental vouchers
- Child support or spousal maintenance
- Social security and SSI
- Retirement income
- Emergency assistance or
- Other public or legal forms of income.

Proposed Tenant Protections

- Written Procedures
- Source of Income Protection
- Tenant Selection
- Fair Housing Marketing
- Non-Discrimination
- Right to Access Tenant File
- Repairs/Remedies/Healthy Unit
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Eviction History not considered, if:

- Eviction was settled w/ No Judgement over 1 year ago
- Eviction judgement was more than 3 years ago

Applicants not denied if non-payment of rent eviction occurred between March 13, 2020 and end of Declaration of Public Health Emergency

Applicants not denied solely based on insufficient rent/credit history.

Applicants can not be denied based on income that is less than 3 times tenant share of rent without providing applicant an opportunity to demonstrate successful rent payment history.

Proposed Tenant Protections

- Written Procedures
- Source of Income Protection
- Tenant Selection
- Fair Housing Marketing
- Non-Discrimination
- Right to Access Tenant File
- Repairs/Remedies/Healthy Unit
- Relocation Assistance
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Owners must use affirmative fair housing marketing practices in soliciting tenants including:

- Advertising with EHO Logo/Statement
- Soliciting applications from persons least likely to apply
- Provide list of eligible Section 8 units to through go section 8, future City System, or other listing service
- Owner states Section 8 is accepted on website
- Maintain all Fair Market Actions/Rent Rolls

Proposed Tenant Protections

- Written Procedures
- Source of Income Protection
- Tenant Selection
- Fair Housing Marketing

- Non-Discrimination

- Right to Access Tenant File
- Repairs/Remedies/Healthy Unit
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Owners must comply with the City of San Antonio's Non-Discrimination Ordinance, as amended in the future.

Proposed Tenant Protections

- Written Procedures
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- Other Tenant/Owner Policies

Tenant is entitled to review and copy:

- Rental application & lease agreements
- Accounting of tenant payments and charges;
- Documents related to the Owner's reasoning for terminating or non-renewal of tenancy.

Proposed Tenant Protections

• Written Procedures	Owner may charge Tenant for repair if Tenant/Guest causes issue.
• Source of Income Protection	
• Tenant Selection	Owner must provide estimated cost prior to repair
• Fair Housing Marketing	
• Non-Discrimination	Owner must provide Tenant with invoice of cost post repair.
• Right to Access Tenant File	
• Repairs/Remedies/Healthy Unit	Tenant has right to dispute scope/cost; owner must provide evidence work is necessary & cost is reasonable.
• Relocation Assistance	
• Returning to Unit	Tenant payment plans may not supplant or supersede rental payment.
• Right to Personal Property	
• Eviction Process/Notice	Failure to comply w/ payment plan not grounds for eviction/termination/non renewal.
• Grounds for Termination	
• 30 Day/10 Day/3 Day Notice	Owner may withhold security deposit or file suit.
• Entry into Unit	
• Right to Organize	Owner must remediate health issues within 7 days or provide temporary accommodations. Imminent threat to health is 24 hours.
• Other Tenant/Owner Policies	

Proposed Tenant Protections

- | | |
|---------------------------------|--|
| • Written Procedures | Unless Tenant intentionally damages unit, owner provides up to 12 mos of relocation assistance. |
| • Source of Income Protection | |
| • Tenant Selection | • Actual moving expenses |
| • Fair Housing Marketing | • Utility connection fees |
| • Non-Discrimination | • Non-refundable deposits |
| • Right to Access Tenant File | • Storage |
| • Repairs/Remedies/Healthy Unit | • Increases in Rent at comparable unit |
| • Relocation Assistance | Permanent Relocation is anything beyond 12 months of relocation. Comply with Uniform Relocation Act. |
| • Returning to Unit | |
| • Right to Personal Property | |
| • Eviction Process/Notice | URA establishes up to 42 month of supplemental assistance or ceiling of \$7,200. |
| • Grounds for Termination | |
| • 30 Day/10 Day/3 Day Notice | |
| • Entry into Unit | |
| • Right to Organize | |
| • Other Tenant/Owner Policies | |

Proposed Tenant Protections

- Written Procedures
- Source of Income Protection
- Tenant Selection
- Fair Housing Marketing
- Non-Discrimination
- Right to Access Tenant File
- Repairs/Remedies/Healthy Unit
- Relocation Assistance

• Returning to Unit

- Right to Personal Property
- Eviction Process/Notice
- Grounds for Termination
- 30 Day/10 Day/3 Day Notice
- Entry into Unit
- Right to Organize
- Other Tenant/Owner Policies

If temporarily relocated because of repairs, owner agrees to provide opportunity for tenant to return to original unit or comparable unit at existing lease rate

Comparable unit means "equal to" or "better than", the displacement dwelling including the same number of bedrooms or equivalent square footage.

Proposed Tenant Protections

- Written Procedures
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- Tenant Selection
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- Grounds for Termination
- 30 Day/10 Day/3 Day Notice
- Entry into Unit
- Right to Organize
- Other Tenant/Owner Policies

Owner shall not to take, hold, or sell personal property of the Tenant or household members without written notice to the Tenant and a court decision

Except when the property remains in the unit after the Tenant has moved out of the unit and the property is disposed of in accordance with State law.

Proposed Tenant Protections

- Written Procedures
- Source of Income Protection
- Tenant Selection
- Fair Housing Marketing
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Owner shall not evict a Tenant or household members without instituting a civil court proceeding where Tenant is provided opportunity to present a defense or before a court.

Owners shall provide a bilingual City of San Antonio Notice of Tenant Rights with any issued Notice to Vacate.

Proposed Tenant Protections

- Written Procedures
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Owner may not terminate or refuse to renew except for serious or repeated violations of the terms and conditions of the Lease Agreement:

- Failure to pay rent
- Criminal activity
- Violations of Federal, State, or local laws; or
- Completion of tenancy period for transitional housing; or
- Uninhabitability of the Property except if caused by owner (relocation kicks in)

Proposed Tenant Protections

- Written Procedures
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Owner shall provide 30 day **Notice to Terminate or Non Renewal** specifying grounds unless:

- Termination based on violent criminal activity
- 30-Day Notice to Vacate has been issued more than twice during preceding 6-month period.

Owner shall provide a written 10 day **Notice of Opportunity** with 30 Day Notice of Termination/NR.

- Affords tenants right to discuss termination/non renewal

Owner shall provide a 3 day written **Notice to Vacate**. If not resolved or tenant does not vacate:

- Owner may proceed to obtain possession by a forcible entry and detainer lawsuit in JP court

Proposed Tenant Protections

- Written Procedures
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Owner's rep/maintenance staff may enter unit during reasonable times for reasonable business purposes after providing Tenant 24 hours notice, except:

- If Tenant Agrees to enter sooner, including repair events
- If Owner believes in good faith an emergency condition exists.

If No one 18 or older is present at time of entry, owner must provide written documentation of purpose for entry, time, and who entered.

Owner must not enter so frequently as to seriously disturb tenant's peaceful enjoyment of unit.

Not applicable for issuing NTV per Texas property code or to cure an owner default.

Proposed Tenant Protections

• Written Procedures	Tenant may onsite conduct activities related to establishing or operating a tenant organization, including hosting a tenant organizer at the property.
• Source of Income Protection	
• Tenant Selection	
• Fair Housing Marketing	
• Non-Discrimination	If requested, Owner agrees to meet with Tenant & tenant organization during regular business hours to discuss tenant matters.
• Right to Access Tenant File	
• Repairs/Remedies/Healthy Unit	
• Relocation Assistance	Owner may not retaliate against a Tenant or Tenant's guests because they established, attempted to establish, or participated in a tenant organization.
• Returning to Unit	
• Right to Personal Property	
• Eviction Process/Notice	
• Grounds for Termination	Retaliatory behavior may include but is not limited to utility shutoff, towing, lockouts and unlawful entry into unit.
• 30 Day/10 Day/3 Day Notice	
• Entry into Unit	
• Right to Organize	Owner may not impose fees/rules for use of common areas not applicable to other tenants who do not participate in tenant organization activities.
• Other Tenant/Owner Policies	

Proposed Tenant Protections

- Written Procedures
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Tenant is required to provide owner with any information and sign such releases necessary to verify income or comply with SAHT Policies.

Tenant agrees to provide accurate information and consents to release such info to SAHT or other government agencies as applicable.

Owner shall provide lease/addendums in the language lease was negotiated in.

Owner agrees to attach copies of all lease addendums to any petition files in eviction proceeding. Owner agrees Failure of such is cause for dismissal.

Item 4: Briefing on the Definition of Affordability



Background



The term '**affordable housing**' is used in the UDC as well as City Policies and Programs



There is currently **not a singular, citywide definition** of affordable housing



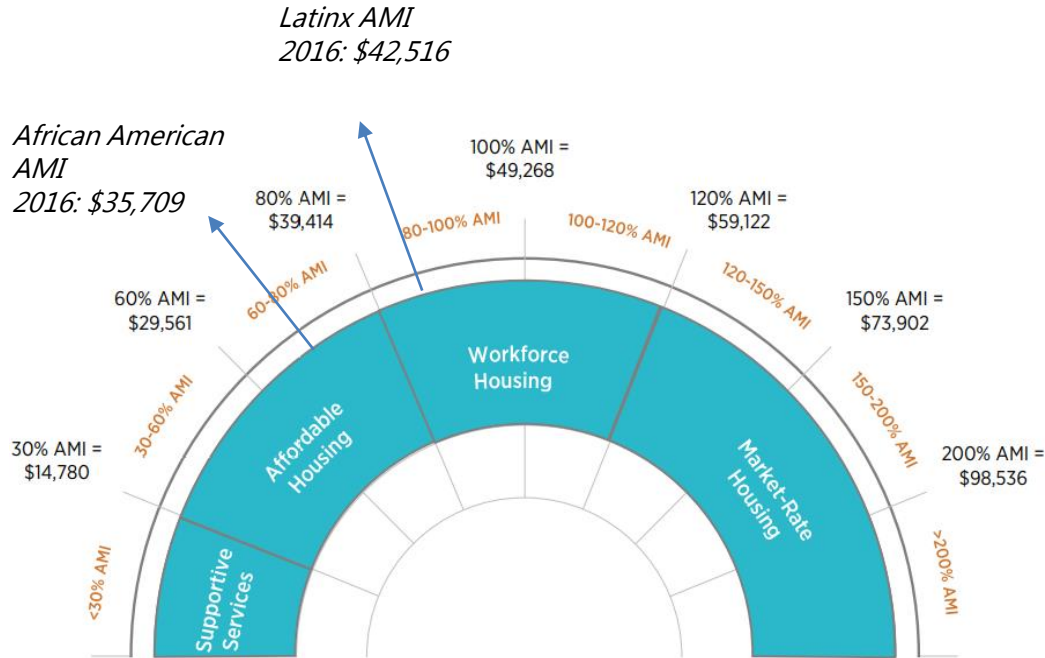
The Removing Barriers Committee asked **Housing Commission to agree upon a definition** for 'affordable housing' in February 2020



The **Strategic Housing Implementation Plan (SHIP)** will use this **definition** and has discussed some options



Housing Policy Framework Criteria



Rental: up to 80% AMI*

Single Family: up to 120% AMI*

- S 1. Strategy:** Prioritize City funding and incentives on rent-restricted units affordable to households up to 60 percent AMI, with a graduated reduction in funding/incentives from 60 to 80 percent AMI.
- S 1. Strategy:** Prioritize city funding/incentives for ownership housing affordable to households up to 120 percent of AMI.

HPF pg.36 & 37
*Census ACS



SHIP Discussion

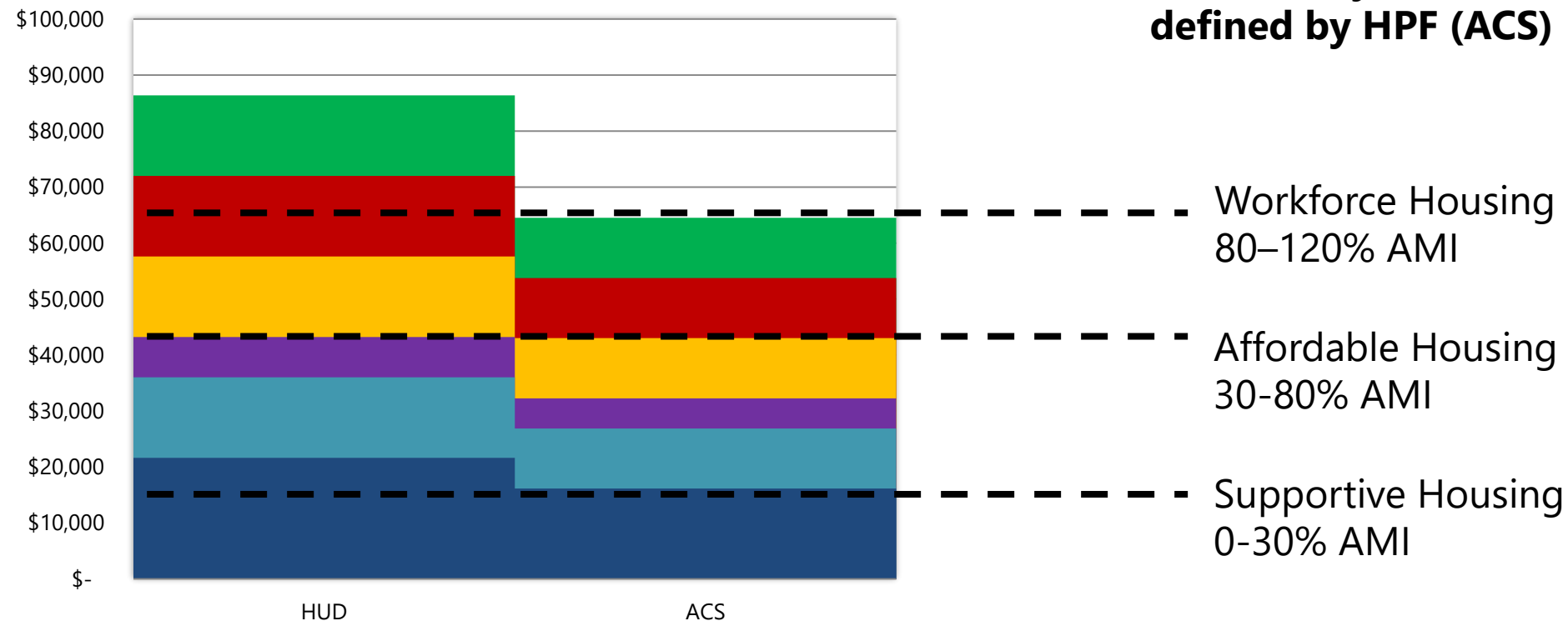
- Use HUD as the measuring stick
 - HUD is industry standard
- Decide where on that measuring stick is 'affordable'
- Transportation costs are critical
- Labeling and definitions matter
 - “workforce” housing



Area Median Income Comparison: ACS vs. HUD

Affordability Levels

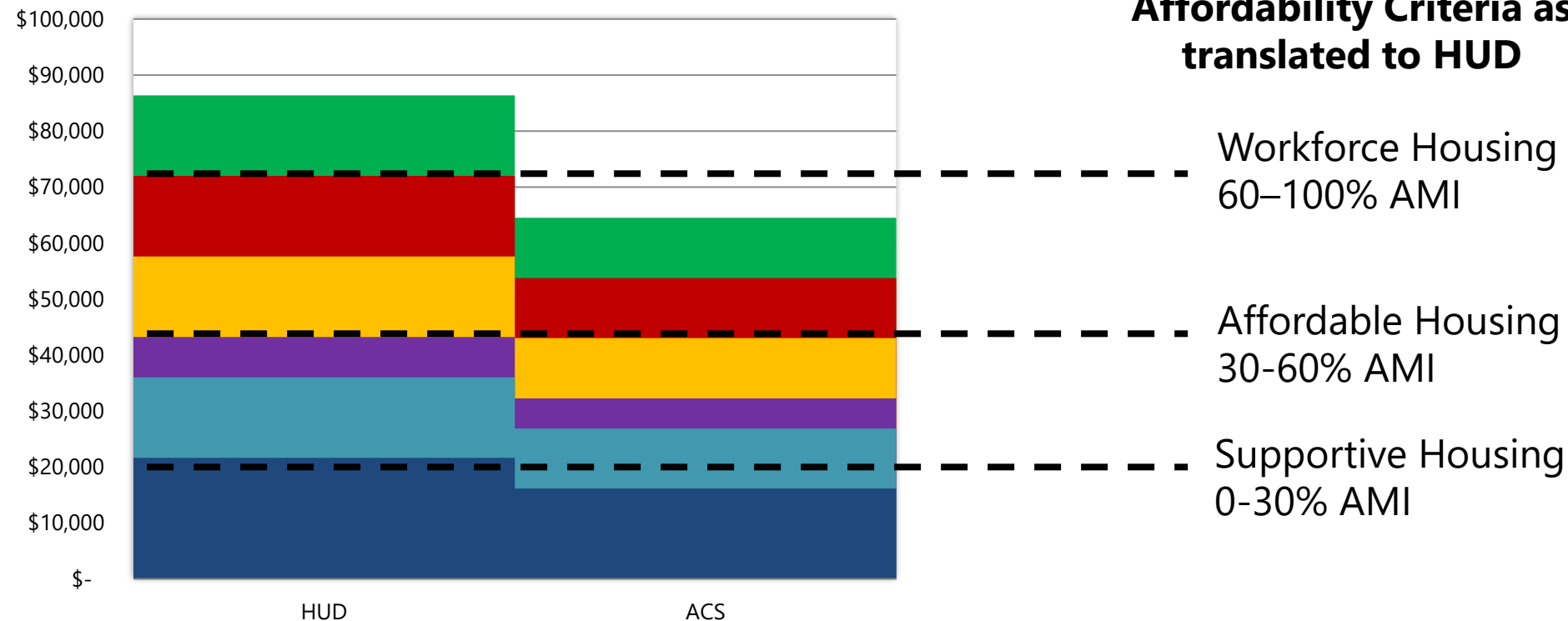
Affordability Criteria as defined by HPF (ACS)



Area Median Income Comparison: ACS vs. HUD

Affordability Levels

Affordability Criteria as translated to HUD

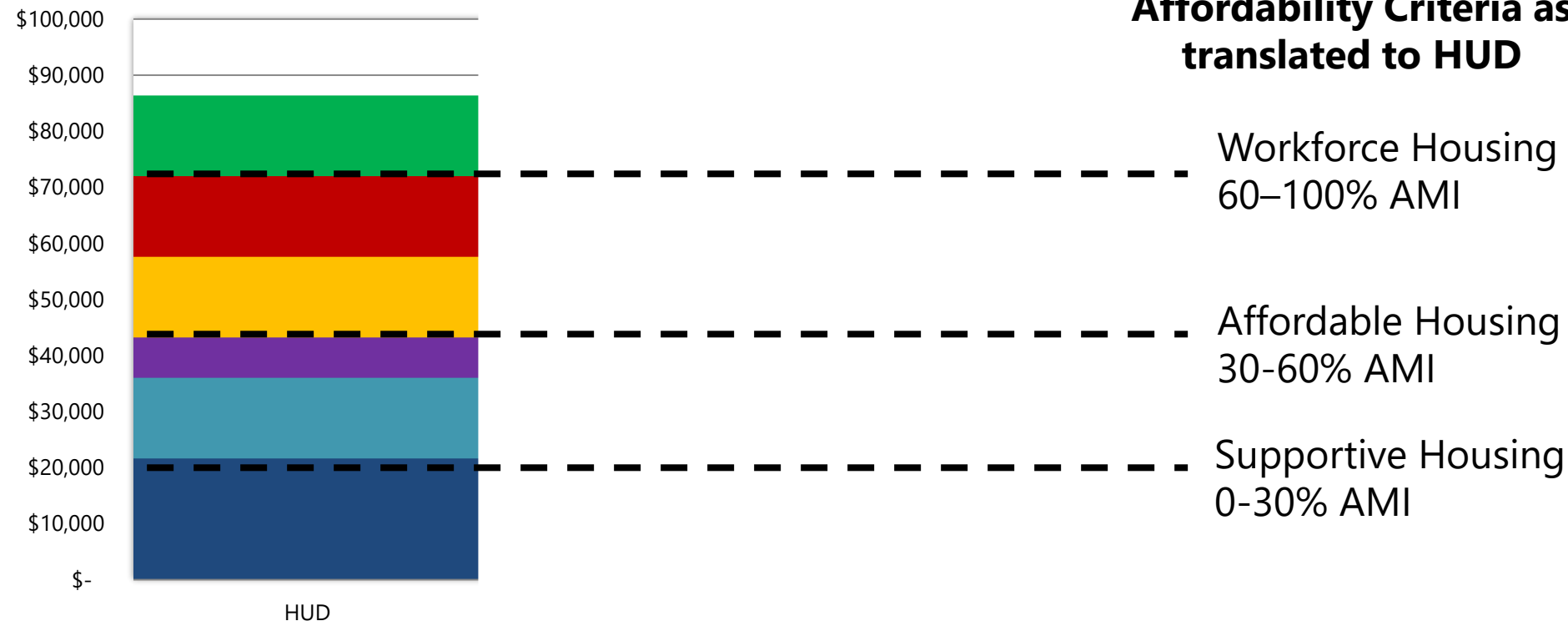


120% AMI 100% AMI 80% AMI 60% AMI 50% AMI 30% AMI

Area Median Income Comparison: ACS vs. HUD

Affordability Levels

Affordability Criteria as translated to HUD



What does this look like?

Maximum monthly rent for a family of 4

AMI	ACS rent per month	HUD rent per Month
120%	\$1,613	\$2,160
100%	\$1,344	\$1,800
80%	\$1,075	\$1,440
60%	\$806	\$1,080
50%	\$672	\$900
30%	\$403	\$540

Current Market Average Rent (2 bedroom): \$1,576



Source: 2020 National Rent Price Analysis by Rent.com

Affordability & Homeownership

Approximate Affordable Home Prices by Income & Household Size

Family size	50% AMI	60% AMI	80% AMI	100% AMI	120% AMI
1	<\$100,000	<\$100,000	\$115,000	\$140,000	\$170,000
2	<\$100,000	\$100,000	\$125,000	\$155,000	\$185,000
3	<\$100,000	\$100,000	\$140,000	\$185,000	\$215,000
4	\$100,000	\$115,000	\$155,000	\$200,000	\$243,000
5	\$100,000	\$125,000	\$170,000	\$215,000	\$258,000
6	\$115,000	\$140,000	\$185,000	\$230,000	\$284,000
7	\$125,000	\$140,000	\$200,000	\$243,000	\$295,000
8	\$125,000	\$155,000	\$215,000	<\$243,000	\$310,000

Current Market Average Sale Price: \$311,604

Source: SABOR November Housing Trends (Dec. 15, 2020)



Cross Timber Homes

- 3 Bed/ 2 Bath
- Open Floorplan with Vaulted Ceilings
- 1,460 sq. ft.

\$169,500

- Down Payment Assistance Available



Highlights from VIA, SAWS, and CPS Presentations



VIA

- 72% of riders are employed, usually work full time
- 67% live at or below the Federal Poverty level, making less than \$25,000 per year (Generally less than 30% AMI)
- A day pass costs \$2.75 without discounts



SAWS

- Average monthly bill \$75.30
- People below poverty level pay between 2.4-4.3% of their income (Generally, below 30% AMI)
- 33,092 households in discount programs (as of 8/2020)



CPS

- Average monthly bill \$144.24
- Over 52,000 households in discount programs
- \$12.30 average monthly savings from discount programs



SHIP Timeline



Phase 1: Synthesis & Strategy

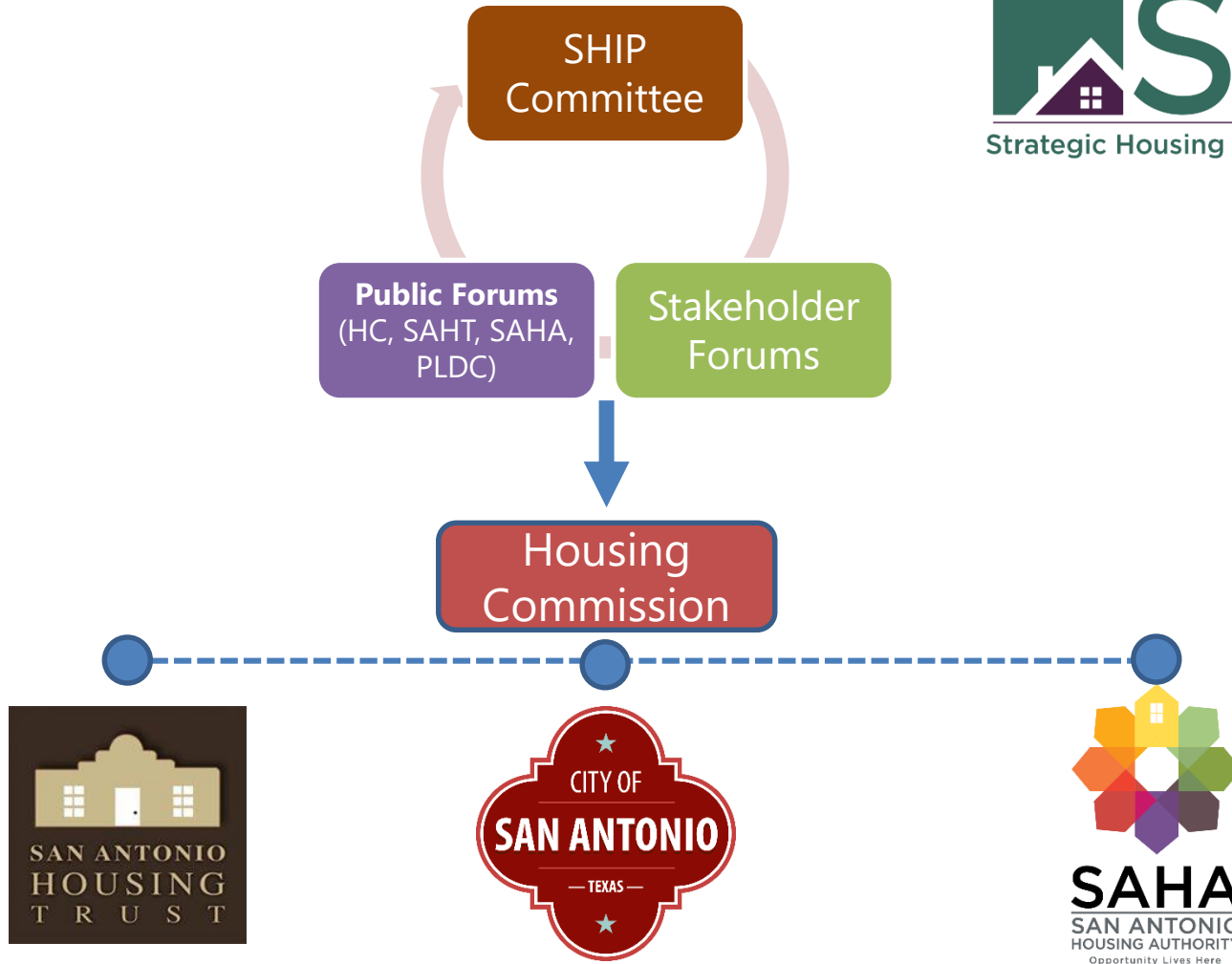
October 2019-
Spring 2021

Recalibration of Housing Goals
Defining Affordable Housing

Phase 2: Management & Operations

Begins Spring 2021





Recommendation

Staff Recommends the following income definitions be included in the Strategic Housing Implementation Plan:

Definition	Housing Policy Framework	Staff Recommendation
Homeownership		
Affordable Housing	120% and below	120% and below
Rental		
Workforce Housing	80–120% AMI	60-100% AMI
Affordable Housing	30-80% AMI	30-60% AMI
Supportive	0-30% AMI	0-30% AMI



Item 5: Director's Report



Housing Commission Regular Session

February 24, 2021



CITY OF SAN ANTONIO
**NEIGHBORHOOD & HOUSING
SERVICES DEPARTMENT**

Verónica R. Soto, FAICP
Director